

**California Regional Water Quality Control Board  
San Francisco Bay Region**

**ORDER 99-064**

(AMENDMENT OF ORDER NO. 98-028

ADDING TEXACO INC. AS DISCHARGER)

**ADOPTION OF SITE CLEANUP REQUIREMENTS FOR:**

ARCO PRODUCTS COMPANY,  
CHEVRON U.S.A., INC.,  
PHILLIPS PETROLEUM COMPANY,  
TEXACO INC.,  
UNION OIL COMPANY OF CALIFORNIA,  
CITY AND COUNTY OF SAN FRANCISCO, and  
ESPRIT DE CORP

for properties located at

PIER 64 and ASSOCIATED OFFSITE FACILITIES  
CITY AND COUNTY OF SAN FRANCISCO

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Board), finds that:

1. **Adoption of Board Order No. 98-028:** The Board adopted Order No. 98-028 at its regular meeting of April 15, 1998. Order No. 98-028 named Arco Products Company, Chevron U.S.A., Inc., Phillips Petroleum Company, Union Oil Company of California, City and County of San Francisco, and Esprit de Corp as dischargers for the investigation and remediation of petroleum residuals at Pier 64 and Associated Offsite Facilities in the Port area in the City and County of San Francisco.

2. **Board Order No. 98-028 Findings:** Board Order No. 98-028's Findings' 2 and 4 describe the source of the petroleum residuals and the dischargers:

**"2. Site History**

*Parcel 3892-01:* Associated Oil Company and its successor companies Tidewater Associated Oil Company, and Tidewater Oil Company operated a bulk fuel storage and distribution facility on assessor's parcel 3892-01 from approximately 1902 to 1966. Phillips Petroleum Company ("Phillips") operated a bulk fuel storage and distribution facility on assessor's parcel 3892-01 from approximately 1966 to 1969. In 1969 this facility had a total capacity of 4,500,000 gallons. When operational, this facility was used to store and distribute various refined petroleum products, including diesel, kerosene, solvents, gasoline and stove oil until approximately 1969. Underground pipelines connected to Pier 64 carried fuel to the site and these too were closed in 1969."

...

**“4. Named Dischargers:** As stated in Finding 2, the following companies either operated on or had operations affecting the site during the period when discharges occurred: ARCO Products Company, Chevron U.S.A., Inc., Phillips Petroleum Company, and Union Oil Company of California (UNOCAL). These companies (ARCO, Chevron, Phillips, and UNOCAL), are therefore named as primary dischargers. Additionally, the Board is naming these companies as primary dischargers based upon the Board’s knowledge of the site and experience with similar operations throughout the Region, e.g., observation of many sites with numerous leaks and accidental spillage from both underground and above-ground storage tankage and distribution facilities typical of the operations at the site; standards of care and practices that do not meet current standards that led to discharges; weathered petroleum hydrocarbons still present in close proximity of former storage and distribution facilities several decades after they were last operated; and leakage from “abandoned” distribution pipelines.

The Board knows.....[R]ecent information provided to Board staff indicates that Texaco, Inc. is most likely the successor to Tidewater Associated Oil Company and its predecessors’ operations on Parcel 3892-01 and should be considered also as a Primary Discharger. Staff will further review this situation and make a recommendation shortly to the Executive Officer whether to administratively name Texaco, Inc. as a discharger to this Order. If additional .....

3. **Additional Named Discharger:** After further review of the facts, and as stated in the above Findings 2 and 4 from Board Order No. 98-028, Associated Oil Company and its successor companies Tidewater Associated Oil Company, and Tidewater Oil Company operated petroleum facilities from 1902 to 1966 on Parcel 3892-01. When Phillips acquired the parcel in 1966, operations of storage and distribution on Site did not change. Further, no additional substances were stored or distributed, and the 4,500,000 gallon capacity of the facility was not increased. This information stands as sufficient evidence that the pollution found on the Parcel and in the vicinity is the result of the operations of petroleum bulk storage and distribution facilities operations by Associated Oil Company, Tidewater Associated Oil Company, and Tidewater Oil Company, as well as Phillips Petroleum Company. The Board has previously found (see Order No. 93-079) that Texaco Refining and Marketing, Inc. is the corporate successor of Associated Oil Company, Tidewater Associated Oil Company, and Tidewater Oil Company. Board Order No. 98-028 should therefore be amended to include Texaco, Inc. as an additional Primary Discharger.
4. **CEQA:** This action is an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
5. **Notification:** The Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code 13304 to amend site cleanup requirements Board Order No. 98-028 and has provided them with an opportunity to submit their written comments.